



JOHN NAIMO  
AUDITOR-CONTROLLER

**COUNTY OF LOS ANGELES  
DEPARTMENT OF AUDITOR-CONTROLLER**

KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET, ROOM 525  
LOS ANGELES, CALIFORNIA 90012-3873  
PHONE: (213) 974-8301 FAX: (213) 626-5427

April 6, 2015

TO: Supervisor Michael D. Antonovich, Mayor  
Supervisor Hilda L. Solis  
Supervisor Mark Ridley-Thomas  
Supervisor Sheila Kuehl  
Supervisor Don Knabe

FROM: John Naimo  
Auditor-Controller

A handwritten signature in blue ink that reads "John Naimo".

SUBJECT: **PROBATION DEPARTMENT JUVENILE CAMPS – DEPARTMENT OF JUSTICE SETTLEMENT AGREEMENT MONITORING FOR APRIL 2014 THROUGH SEPTEMBER 2014 – TWELFTH STATUS REPORT**

We completed a monitoring review of the County's juvenile camps for the period of April 2014 through September 2014. The monitoring reviews are used to measure the Probation Department's (Probation or Department) progress in implementing 23 of the 42 provisions included in the Department of Justice (DOJ) settlement agreement. This is our twelfth status report.

**Background and Scope**

On August 17, 2010, your Board instructed the Auditor-Controller to monitor Probation's progress in implementing the DOJ settlement agreement provisions. We evaluate Probation's progress in implementing each provision using monitoring tools developed by Probation and the DOJ Monitor. The monitoring tools for 20 provisions include specific criteria that result in a precise score. A score of 90% or higher means that Probation has achieved "substantial compliance" with the requirements of the provision. The monitoring tools for three provisions (Provisions 17, 43, and 73) evaluate achievements of specific expectations. The DOJ Monitor considers Probation in substantial compliance with these provisions when the Department meets a majority of the provision's expectations.

After maintaining substantial compliance for 12 consecutive months, the DOJ Monitor considers the provision fully implemented. As of November 2014, the DOJ Monitor

determined that 21 of the 23 provisions are fully implemented and Probation indicated that the remaining two provisions will be fully implemented by the end of December 2014. A status of all 23 provisions is included in Attachment II and descriptions of the provisions are included in Attachment III.

During this review, we evaluated Probation's 13 juvenile camps and three specialized units (camps/units) for the period of April 2014 through September 2014 and their progress with maintaining substantial compliance for the following seven provisions that the DOJ reported as fully implemented:

- Provision 17 – Rehabilitation and Behavior Management
- Provision 18 – Staff Training and Supervision of Youth
- Provision 20 – Child Abuse Reporting
- Provision 29 – Documentation of Suicide Precautions
- Provision 32 – Training (Suicide Prevention)
- Provision 43 – Substance Abuse
- Provision 45 – Staff Understanding of Mental Health and Developmental Disability Needs

### **Results of Review**

Generally, Probation did not maintain substantial compliance for six (86%) of the seven provisions reviewed. The areas of non-compliance noted in our review centered on Probation not ensuring their staff complete the ongoing training required by many of the provisions reviewed. Specifically, we noted:

- Five (33%) of the 15 camps/units did not maintain substantial compliance with Provision 17. For example, Probation inappropriately issued daily behavior management program rewards to 15 (31%) of the 49 ineligible minors reviewed. In addition, 64 (30%) of the 215 minors reviewed did not attend Aggression Replacement Training or Dialectical Behavior Therapy sessions and 77 (36%) minors did not attend at least 80% of their assigned sessions.
- All 16 camps/units did not maintain substantial compliance with Provision 18. Specifically, 40% of the staff and 14% of the supervisors we reviewed did not complete the annual refresher training within the past year.
- Thirteen (81%) of the 16 camps/units did not maintain substantial compliance with Provision 20. Specifically, 23% of Probation Officers and 29% of non-peace officer staff from Probation, Los Angeles County Office of Education (LACOE), and Juvenile Court Health Services (JCHS) at the 13 camps/units did not complete the training as required. Probation, LACOE, and JCHS management indicated they are retraining all of their staff.

- Fourteen (88%) of the 16 camps/units did not maintain substantial compliance with Provision 32. Specifically, 24% of Probation Officers and 47% of non-peace officer staff from the Department of Mental Health (DMH), LACOE, and JCHS at the 14 camps/units did not complete the required training. Probation, DMH, LACOE, and JCHS management indicated they are retraining all of their staff.
- Five (36%) of the 14 camps/units did not maintain substantial compliance with Provision 43. Specifically, Probation did not ensure that 205 (70%) of the 294 minors reviewed at the five camps/units participated in the treatment program in which they were enrolled.
- Fourteen (88%) of the 16 camps/units did not maintain substantial compliance with Provision 45. Specifically, 16% of Probation Officers and 32% of non-peace officer staff from Probation, LACOE, and JCHS at the 14 camps/units did not receive the appropriate training.

Details of our review are attached. The settlement agreement required the County to fully implement all of the provisions by December 2014. After our review, the DOJ issued their final report on February 24, 2015 indicating that the County has achieved full compliance with the terms of the settlement agreement and is no longer subject to monitoring by the DOJ. We plan to continue monitoring Probation semi-annually to ensure they maintain compliance with the terms of the settlement agreement.

### **Review of Report**

We discussed our report with Probation in December 2014 and January 2015. The Department's response (Attachment IV) concurs with our findings for two provisions (Provisions 18 and 45) that required staff to attend ongoing training. During our meetings, Probation management indicated they are retraining all of their staff.

The Department's response does not concur with our findings for four provisions (Provisions 17, 20, 32, and 43) since their internal reviews reported different results. However, we completed our review using the monitoring tools developed by Probation and the DOJ Monitor, and in accordance with the training Probation provided. In addition, we provided Probation copies of our monitoring tools with the details of our audit results, and the Department did not provide documentation to invalidate our results.

We also attempted to validate Probation's results for a sample of provisions to determine why the results of our reviews were different. However, the Department did not maintain sufficient documentation to support the results of their reviews, which prevented us from identifying the cause of the differences.

**Acknowledgement**

We thank Probation and DMH management and staff for their cooperation and assistance during our review. If you have any questions please call me, or your staff may contact Don Chadwick at (213) 253-0301.

JN:AB:DC:AA:js

**Attachments**

c: Sachi A. Hamai, Interim Chief Executive Officer  
Jerry E. Powers, Chief Probation Officer  
Marvin J. Southard, D.S.W., Director, Department of Mental Health  
Mitchell H. Katz, M.D., Director, Department of Health Services  
Arturo Delgado, Ed.D., Superintendent, Los Angeles County Office of Education  
Public Information Office  
Audit Committee

**LOS ANGELES COUNTY PROBATION DEPARTMENT JUVENILE CAMPS  
DEPARTMENT OF JUSTICE SETTLEMENT AGREEMENT MONITORING  
APRIL 2014 THROUGH SEPTEMBER 2014**

**Background and Scope**

We evaluate Probation Department's (Probation or Department) compliance with each provision using monitoring tools developed by Probation and the Department of Justice (DOJ) Monitor. The monitoring tools for 20 provisions include specific criteria that result in a precise score. A score of 90% or higher means that Probation has achieved "substantial compliance" with the requirements of the provision. The monitoring tools for three provisions (Provisions 17, 43, and 73) evaluate achievements of specific expectations. The DOJ Monitor considers Probation in substantial compliance with these provisions when the Department meets a majority of the provision's expectations.

After maintaining substantial compliance for 12 consecutive months, the DOJ Monitor considers the provision fully implemented. At the time of our review, the DOJ Monitor had determined that 21 of the 23 provisions were fully implemented and Probation indicated that the remaining two provisions would be fully implemented by the end of December 2014.

During this review, we evaluated Probation's 13 juvenile camps and three specialized units (camps/units) for the period of April 2014 through September 2014 and their progress with maintaining substantial compliance for the following seven provisions that the DOJ reported as fully implemented:

- Provision 17 – Rehabilitation and Behavior Management
- Provision 18 – Staff Training and Supervision of Youth
- Provision 20 – Child Abuse Reporting
- Provision 29 – Documentation of Suicide Precautions
- Provision 32 – Training (Suicide Prevention)
- Provision 43 – Substance Abuse
- Provision 45 – Staff Understanding of Mental Health and Developmental Disability Needs

**Provision 17 – Rehabilitation and Behavior Management**

The DOJ settlement agreement requires Probation to:

- Provide formal daily programming that incorporates education, recreation, and specialized rehabilitative and/or treatment programs for the minors and incorporate a points-driven behavior management program that addresses negative behavior and rewards positive behavior. This requirement applies to 15 camps/units.

- Provide either Aggression Replacement Training (ART) or Dialectical Behavior Therapy (DBT) to each minor and for the minors to attend at least 80% of their assigned sessions. This requirement applies to 14 camps/units.
- Only isolate minors in a Special Handling Unit (SHU) as a last resort and to prevent, or in response to, violent or aggressive behavior. In addition, Probation must document justification for extending a minor's isolation past eight hours prior to the extension, and must separately document justification for isolating a minor in a SHU for 24 consecutive hours or more. This requirement applies to 14 camps/units.

Overall, five (33%) of the 15 camps/units did not meet the majority of the provision's expectations. Specifically, Probation:

- Inappropriately issued daily behavior management program rewards to 15 (31%) of the 49 ineligible minors reviewed at the five camps/units.
- Did not promote 37 (62%) of the 60 minors reviewed at four (80%) of the five camps/units to the next stage of the behavior management promotional program timely. The promotions were an average of four days late.
- Did not ensure that 64 (30%) of the 215 minors reviewed at four (80%) camps/units attended ART or DBT sessions, and did not ensure 77 (36%) minors attended at least 80% of their assigned sessions.
- Did not appropriately document justification for keeping a total of two minors in a SHU past eight hours at two (40%) camps/units. Specifically, for both minors reviewed, Probation staff documented justification for the extension when the minors were exiting the SHU rather than before the extension, as required.

Inappropriately or inaccurately awarding behavior management program rewards and not rewarding the minors timely diminishes the effectiveness of the behavior management program. Probation needs to ensure staff award behavior management program rewards to minors appropriately and promote minors to the next stage of the promotional program timely. In addition, Probation needs to ensure minors attend at least 80% of their assigned ART or DBT sessions and Probation staff should appropriately document justification for keeping a minor in the SHU past eight hours.

### **Provision 18 – Staff Training and Supervision of Youth**

The DOJ settlement agreement requires Probation to ensure that staff who work with youth have the knowledge and skills needed to effectively manage the youth, including de-escalation techniques, crisis intervention, youth development, and supervision.

Probation management developed an initial 24-hour training class for new staff and an annual 16-hour refresher training class for all staff and supervisors. However, Probation did not achieve substantial compliance of 90% or more with the provision's

requirements. The 16 camps/units had an average compliance level of 68%. Specifically, 40% of the staff and 14% of the supervisors we reviewed did not complete the annual refresher training within the past year. Probation management indicated they are retraining all of their staff.

### **Provision 20 – Child Abuse Reporting**

The DOJ settlement agreement requires Probation to develop policies, practices, and procedures to define those circumstances in which staff must report allegations of child abuse or neglect to the appropriate external agencies. In addition, Probation, Los Angeles County Office of Education (LACOE), and Juvenile Court Health Services (JCHS) staff are required to attend training on the policies, practices, and procedures.

Probation developed policies, practices, and procedures that define when staff must report allegations of child abuse or neglect. However, overall, Probation did not achieve substantial compliance of 90% or more. The 16 camps/units had an average compliance level of 82%. While three (19%) camps/units met the 90% compliance level, 13 (81%) camps/units had an average compliance level of 79%. Specifically, 23% of Probation Officers and 29% of non-peace officer staff from Probation, LACOE, and JCHS at the 13 camps/units did not complete the training. Probation, LACOE, and JCHS management indicated they are retraining all of their staff.

### **Provision 29 – Documentation of Suicide Precautions**

The DOJ settlement agreement requires Probation to develop policies, practices, and procedures to ensure Probation thoroughly and correctly document the mental health needs (applies to 15 camps/units) and the precautions taken for suicidal minors requiring an increased level of supervision (applies to two camps/units). Level 2 Supervision is required for minors who are not actively suicidal, but may experience persistent suicidal ideations and Level 3 Supervision is required for minors who are at high risk of suicide.

Overall, Probation maintained substantial compliance with Provision 29 by achieving an average compliance level of 91%. However, seven (47%) of the 15 camps/units did not achieve substantial compliance of 90% or more. Specifically, the staff at the seven camps/units did not always initial the required documents acknowledging that they reviewed the Department of Mental Health's (DMH) mental health assessments describing the minors' mental health needs. In addition, for eight (57%) of the 14 shifts reviewed, the managers at one specialized unit did not ensure that staff completed Safety Check Sheets for each eight-hour shift that a minor was on Level 2 Supervision and housed in a SHU.

Probation management should ensure that staff complete Safety Check Sheets as required, and that staff initial the required documents acknowledging that they reviewed the DMH mental health assessments.

**Provision 32 – Training (Suicide Prevention)**

The DOJ settlement agreement requires that all Probation, DMH, LACOE, and JCHS camp staff who work with youth are sufficiently trained in suicide prevention so that they understand how to prevent and respond to crises.

Probation management developed a training class on suicide prevention. However, overall, Probation did not achieve substantial compliance of 90% or more. The 16 camps/units had an average compliance level of 70%. While two (13%) camps/units met the 90% compliance level, 14 (88%) camps/units had an average compliance level of 67%. Specifically, 24% of Probation Officers and 47% of non-peace officer staff from DMH, LACOE, and JCHS at the 14 camps/units did not complete the training. Probation, DMH, LACOE, and JCHS management indicated they are retraining all of their staff.

**Provision 43 – Substance Abuse**

The DOJ settlement agreement requires Probation to provide substance abuse treatment for minors who have a confirmed diagnosis or are otherwise identified as needing substance abuse treatment. The Department must document when a minor refuses treatment and make a reasonable attempt to redirect the minor back to treatment. Probation is also required to take steps to prevent the youth from having access to illegal drugs. This provision applies to 14 camps/units.

Five (36%) of the 14 camps/units did not meet a majority of the provision's expectations. Specifically, Probation did not ensure that 205 (70%) of the 294 minors reviewed at the five camps participated in the treatment program in which they were enrolled. In addition, 24 (8%) of the 294 minors reviewed refused to attend substance abuse sessions and Probation did not document the reasons that all 24 minors refused to attend.

Probation should ensure their staff document the reasons minors refuse to attend substance abuse treatment and ensure that at least 80% of minors participate in the treatment program.

**Provision 45 – Staff Understanding of Mental Health and Developmental Disability Needs**

The DOJ settlement agreement requires that all Probation, LACOE, and JCHS staff working with youth have the skills and information necessary to understand behaviors of, engage in appropriate interactions with, and respond to needs of youth with mental illness and developmental disabilities.

Probation management developed a training class on working with youth that have mental health and developmental disability needs. However, overall, Probation did not achieve substantial compliance of 90% or more. The 16 camps/units had an average



compliance level of 82%. While two (13%) camps/units met the 90% compliance level, 14 (88%) camps/units had an average compliance level of 80%. Specifically, 16% of Probation Officers and 32% of non-peace officer staff from Probation, LACOE, and JCHS at the 14 camps/units did not receive the appropriate training. Probation, LACOE, and JCHS management indicated they are retraining all of their staff.

## DOJ SETTLEMENT AGREEMENT FOR PROBATION JUVENILE CAMPS PROVISIONS MONITORED BY THE AUDITOR-CONTROLLER SUMMARY OF DOJ MONITORING RESULTS

### Seven Provisions Monitored During This Review

Provision	Description	Fully Implemented (a)	Auditor-Controller Results (b)
17	Rehabilitation and Behavior Management	10/31/2014	(c)
18	Staff Training and Supervision of Youth	10/31/2012	68%
20	Child Abuse Reporting	10/31/2012	82%
29	Documentation of Suicide Precautions	10/31/2012	91%
32	Training (Suicide Prevention)	10/31/2012	70%
43	Substance Abuse	6/13/2014	(c)
45	Staff Understanding of Mental Health and Developmental Disability Needs	10/31/2012	82%

### Sixteen Provisions Not Monitored During This Review

Provision	Description	Fully Implemented (a)
10	Use of Force	12/31/2012
11	Oleoresin Capsicum (OC or Pepper) Spray	2/27/2012
12	Use of Force Review	10/31/2012
14	Consumption of Alcohol by Staff	2/27/2012
16	Orientation	11/29/2011
19	Reduction of Youth-on-Youth Violence (YOYV)	12/31/2012
21	Child Abuse Investigation	10/31/2012
23	Grievance System	2/27/2012
24	Youth Movement Between Probation Camps and/or Halls	10/31/2011
25	Development and Implementation of Suicide Prevention Policy	10/31/2011
27	Management of Suicidal Youth	10/31/2012
30	Supervision of Youth at Risk of Self Harm	10/31/2012
31	Suicide Precautions for Youth Awaiting Transfer to Another Facility	10/31/2012
34	Screening	2/27/2012
46	Discharge Summaries	2/27/2012
73	Increased Access to Community Alternatives	12/13/2014

### Footnote Legend

- (a) The DOJ Monitor indicated that Probation fully met the requirements of these provisions by maintaining "substantial compliance" for 12 consecutive months (14 consecutive months for provisions 10 and 19).
- (b) For the purposes of our review, we consider provisions not in substantial compliance with a less than 90% result.
- (c) For Provisions 17 and 43, the monitoring tools measure achievements of specific expectations rather than a precise score, and the DOJ Monitor considers Probation in substantial compliance with these provisions when the Department meets a majority of the provision's expectations. For Provision 17, only ten (67%) of the 15 applicable camps/units met a majority of the provision's expectations. For Provision 43, only nine (64%) of the 14 applicable camps/units met a majority of the provision's expectations.

**PROBATION DEPARTMENT JUVENILE CAMPS  
DOJ SETTLEMENT AGREEMENT PROVISIONS  
APRIL 2014 THROUGH SEPTEMBER 2014**

**Seven Provisions Monitored During This Review Period**

**Provision 17 – Rehabilitation and Behavior Management:** The County shall provide adequate rehabilitative programming and gender-specific programming, where appropriate. The County shall provide a facility-wide behavioral management system that is implemented throughout the day, including school time.

**Provision 18 – Staff Training and Supervision of Youth:** The County shall ensure that staff who work with youth residents have the knowledge and skills needed to effectively manage youth, including de-escalation techniques, crisis intervention, youth development, and supervision.

**Provision 20 – Child Abuse Reporting:** The County shall develop policies, practices, and procedures to define those circumstances in which staff must report allegations of child abuse or neglect to the appropriate external agencies.

**Provision 29 – Documentation of Suicide Precautions:** The County shall develop and implement policies, procedures, and practices to ensure that the following information is thoroughly and correctly documented, and provide information to all staff who need to know such information: a) the times youth are placed on and removed from precautions; b) the levels of precautions on which youth are maintained; c) the housing locations of youth on precautions; d) the conditions of the precautions; and e) the times and circumstances of all observations by staff monitoring the youth.

**Provision 32 – Training (Suicide Prevention):** The County shall ensure that all camp staff who work with youth are sufficiently trained in suicide prevention so that they understand how to prevent and respond to crises, including practical matters such as the location and use of a cut-down tool in the event of a youth's attempted hanging.

**Provision 43 – Substance Abuse:** The County shall develop and implement policies, procedures, and practices to address substance abuse disorders appropriately.

**Provision 45 – Staff Understanding of Mental Health and Developmental Disability Needs:** The County shall ensure that all staff working with youth residents have the skills and information necessary to understand behaviors of, engage in appropriate interactions with, and respond to needs of youth with mental illness and developmental disabilities.

**Sixteen Provisions Not Monitored During This Review Period**

**Provision 10 – Use of Force:** The County shall develop and implement a comprehensive policy and accompanying practices governing use of force, ensuring

that the least amount of force necessary for the safety of staff, youth residents, and visitors is used on youth.

**Provision 11 – Oleoresin Capsicum (OC or Pepper) Spray:** The County shall develop and implement policies, procedures, and practices to restrict the use of OC spray to appropriate circumstances; enable supervisors to maintain appropriate controls over spray use and storage; restrict the carrying of OC spray to only those individuals who need to carry and use it; prevent, wherever possible, the use of OC spray on populations for whom its use is contraindicated or contrary to doctors' instructions; and ensure that decontamination occurs properly.

**Provision 12 – Use of Force Review:** The County shall develop and implement a system for review of use of force and alleged child abuse by senior management so that they can use the information gathered to improve training and supervision of staff, guide staff discipline, and/or make policy or programmatic changes as needed.

**Provision 14 – Consumption of Alcohol by Staff:** The County shall ensure that staff at the Probation camps do not maintain or consume alcohol at the camps.

**Provision 16 – Orientation:** The County shall ensure that all youth, including those who are disabled or Limited English Proficient, receive orientation sufficient to communicate important information, such as how to access the grievance system, medical care, and mental health services, or report staff misconduct.

**Provision 19 – Reduction of Youth-on-Youth Violence (YOYV):** The County shall develop and implement strategies for reducing YOYV that includes training staff in appropriate behavior management, recognition and response to gang dynamics, and violence reduction techniques.

**Provision 21 – Child Abuse Investigation:** The County shall develop and implement a system for the timely, thorough, and independent investigation of alleged child abuse. Staff who are the subject of an allegation of child abuse shall be removed from direct youth supervision pending the outcome of the referral or investigation.

**Provision 23 – Grievance System:** The County shall develop an effective grievance system to which youth have access when they have complaints, ensure that grievances may be filed confidentially, and ensure that they receive appropriate follow-up, including informing the author of the grievance about its outcome, and tracking implementation of resolutions. The County shall ensure that the grievance system provides youth with a safe avenue to report abuse, staff misconduct, or unfair treatment.

**Provision 24 – Youth Movement Between Probation Camps and/or Halls:** The County shall ensure that movement of youth residents between facilities does not interfere with ongoing testing or provision of medical, mental health, or educational services at the Probation camps, unless court proceedings, treatment, or security needs require such movement.

**Provision 25 – Development and Implementation of Suicide Prevention Policy:** The County shall develop and implement adequate policies, procedures, and practices relating to suicide prevention.

**Provision 27 – Management of Suicidal Youth:** The County shall develop and implement policies, procedures, and practices to ensure that mental health staff are sufficiently involved with Probation and education staff in the management of youth exhibiting suicidal behaviors, including creation of individual behavior modification programs, and decisions and appropriate clothing, bedding, and housing.

**Provision 30 – Supervision of Youth at Risk of Self-Harm:** The County shall sufficiently supervise youth newly assigned to a camp, youth in seclusion, and other youth at heightened risk of self-harm to maintain their safety.

**Provision 31 – Suicide Precautions for Youth Awaiting Transfer to Another Facility:** The County shall develop and implement policies, practices, and procedures to ensure that adequate suicide precautions are provided to youth who are awaiting transfer to another facility for (mental health) assessment.

**Provision 34 – Screening:** The County shall develop and implement policies, procedures, and practices for initial mental health screening to allow the identification of previously diagnosed and potentially existing mental health or substance abuse disorders, including potential suicidality. Such screening shall take place within 48 hours prior to a youth's delivery to a camp, or within 24 hours after a youth's arrival at the camp.

**Provision 46 – Discharge Summaries:** The County shall provide aftercare planning and discharge summaries for youth leaving the facility who have, or have had, open mental health cases at a camp to facilitate treatment in future placements.

**Provision 73 – Increased Access to Community Alternatives:** The County agrees to ensure that treatment and services referenced in the Memorandum of Agreement are provided in the least restrictive setting, consistent with public safety, the best interests of the youth, and the goal of rehabilitation.



**JERRY E. POWERS**  
Chief Probation Officer

## COUNTY OF LOS ANGELES PROBATION DEPARTMENT

9150 E. Imperial Highway, Downey, CA 90242  
(562) 940-2501



February 23, 2015

TO: John Naimo  
Auditor-Controller

FROM: Jerry E. Powers *Jerry E. Powers for*  
Chief Probation Officer

**SUBJECT: RESPONSE TO THE AUDITOR-CONTROLLER'S DRAFT TWELFTH STATUS REPORT ON THE DEPARTMENT OF JUSTICE AGREEMENT REGARDING PROBATION DEPARTMENT JUVENILE CAMPS (APRIL 2014 THROUGH SEPTEMBER 2014)**

The following is Probation's response to the Auditor-Controller's Draft Twelfth Status Report on the Department of Justice (DOJ) Agreement regarding the Juvenile Camps for the period April 2014 through September 2014.

Probation maintained compliance with five of the seven provisions reviewed by the Auditor-Controller:

- Provision 17 – Rehabilitation and Behavior Management
- Provision 20 – Child Abuse Reporting
- Provision 29 – Documentation of Suicide Precautions
- Provision 32 – Training (Suicide Prevention)
- Provision 43 – Substance Abuse

Probation did not maintain compliance with two out of the seven provisions reviewed by the Auditor-Controller:

- Provision 18 – Staff Training and Supervision of Youth
- Provision 45 – Staff Understanding of Mental Health and Developmental Disability Needs

The following includes specific information regarding the five provisions which are in compliance:

***Rebuild Lives and Provide for Healthier and Safer Communities***

Mr. John Naimo  
February 23, 2015  
Page 2 of 5

**Provision 17 – Rehabilitation and Behavior Management**

*Rehabilitation: The County shall provide adequate rehabilitative and gender-specific programming, as necessary. The County shall continue to conduct appropriate individualized assessments by qualified staff.*

*The County shall develop and provide integrated treatment services that meet the rehabilitative needs of youth at all Probation Camps. These services shall adequately: address youth's educational needs (including access to special education services); provide access to medical and mental health services, including substance abuse treatment; provide a structured living environment that facilitates, reinforces, and provides opportunities for youth to practice pro-social skills and pro-social relationships with other youth and adults; provide access to meaningful recreational and enrichment activities; provide opportunities for family involvement; encourage development of new skills; and include Camp staff as positive role models.*

*Behavior Management: The County shall provide a facility-wide behavior management system that is implemented throughout the day, including during school time. The behavior management system shall encourage meaningful rewards for positive behavior. Discipline and sanctions shall not be arbitrary. The County shall continue to develop the behavior management program in consultation with the Monitoring Team.*

**Probation Response:** Probation does not agree with the findings.

- The Probation Department does not agree with the Department of Auditor-Controller's findings regarding Provision 17 due to the differences in audit results between the two Departments. The Probation Department's internal audits, along with the independent reviews, audits and site visits by the DOJ Monitors, have continuously demonstrated youth receive comprehensive, individualized assessments, treatment plans and services, and that the availability of these services have increased over time. Further, the comprehensive behavior management program at each Camp effectively reinforces the expectation that youth will practice the new skills they acquire in treatment throughout their day. During April 2014 through September 2014, the Probation Department's internal audits revealed that cognitive treatment services were readily available with 74% of youth successfully completing ART and 83% successfully completing DBT. Although audits reveal the Department is in compliance with ensuring the availability of treatment services, assessing and referring youth in a timely manner, the youth cannot be forced to participate in these programs and sometimes refuse to attend. Behavior Management Program audits show that School Point Mechanics "Met Expectations" 100% of the time; Sanctions and Stage Promotions "Met Expectations" 94% of the time; and, the Daily Merit Ladder Point Mechanics and Daily Rewards "Met Expectations" 89% of the time. Audits of the Special Handling Unit (SHU) revealed that Reason for SHU Housing Documentation "Met Expectations" 99% of the time; and, Major Administrative Action Reviews "Met Expectations" 99% of the time as well. After one year of monitoring, the Department of Justice Monitors deemed Provision 17 in Full Compliance effective October 31, 2014.

Mr. John Naimo  
February 23, 2015  
Page 3 of 5

**Provision 20 – Child Abuse Reporting**

*The County shall develop policies, practices and procedures to define those circumstances in which staff must report allegations of child abuse or neglect to the appropriate external agencies.*

**Probation Response:** Probation does not agree with the findings.

- All Department Camp staff are required to receive annual training on child abuse reporting, per Provision 20. Based on an internal review, Probation was 91% (655 out of 714 sampled) in compliance with providing annual child abuse reporting training to full-duty sworn Camp staff during Fiscal Year (FY) 2013-14. The Department's internal reviews exclude non-Probation, non-deputized staff, and staff who completed Juvenile Corrections Officers Core Academies. Records of the completed training were contained in the Department's training system and audited by the State of California, Board of State and Community Corrections (BSCC).

**Paragraph 29 - Documentation of Suicide Precautions**

*The County shall develop and implement policies, procedures, and practices to ensure that the following information is thoroughly and correctly documented, and provide information to all staff who need to know such information: a) the times youth are placed on and removed from precautions; b) the levels of precautions on which youth are maintained; c) the housing locations of youth on precautions; d) the conditions of the precautions; and the times and circumstances of all observations by staff monitoring the youth.*

**Probation Response:** Probation agrees with the findings.

- Provision 29 requires all Probation Camp staff to complete Enhanced Supervision. The Enhanced Supervision course is provided to all new hire camp staff during the Juvenile Corrections Officer Core Academy and to all internally promoted staff during the Camps Promotional Academy. Although our average compliance was over 91%, the Department will continue to work diligently to ensure all Camps achieve 90% compliance or higher. The Probation Department will continue to collaborate with the Department of Mental Health to maintain compliance with the requirements of this Provision.

**Provision 32 – Training (Suicide Prevention)**

*The County shall ensure that all Camps staff who work with youth are sufficiently trained in suicide prevention so that they understand how to prevent and respond to crises, including*



Mr. John Naimo  
February 23, 2015  
Page 4 of 5

*practical matters such as location and use of a cut-down tool in the event of a youth's attempted hanging.*

**Probation Response:** Probation does not agree with the findings.

- All Department Camp staff are required to receive annual training on suicide prevention, per Provision 32. Based on an internal review, Probation was 92% (659 out of 714 staff sampled) in compliance with providing annual suicide prevention training to full-duty sworn Camp staff during Fiscal Year (FY) 2013-14. The Department's internal reviews exclude non-Probation, non-deputized staff, and staff who completed Juvenile Corrections Officers Core Academies. Records of the completed training were contained in the Department's training system and audited by the State of California, Board of State and Community Corrections (BSCC)

#### **Provision 43 – Substance Abuse**

*The County shall develop and implement policies, procedures, and practices to address substance use disorders appropriately.*

**Probation Response:** Probation does not agree with the findings.

- The Probation Department does not agree with the Department of Auditor-Controller's findings regarding Provision 43 due to the differences in audit results between the two departments. The Probation Department's internal audits, along with the independent reviews, audits and site visits by the DOJ Monitors, have continuously demonstrated compliance with Provision 43. During April 2014 through September 2014, the Probation Department's internal audits revealed that newly admitted youth received timely referrals 98% of the time; and, the completion rate for substance abuse treatment is 95%. These positive results led to the Department of Justice placing this Provision in Full Compliance effective June 13, 2014.

The following includes specific information regarding the two provisions which are not in compliance:

#### **Provision 18 – Staff Training and Supervision of Youth**

*The County shall ensure that staff who work with youth residents have the knowledge and skills needed to effectively manage youth, including de-escalation techniques, crisis intervention, youth development, and supervision.*

**Probation Response:** Probation agrees with the findings.

Mr. John Naimo  
February 23, 2015  
Page 5 of 5

- Provision 18 requires all Probation Camp staff to receive training regarding Safe Crisis Management (SCM) supervision and de-escalation techniques annually. During the 2013-2014 Training Year (July 1, 2013 through June 30, 2014), due to scheduling conflicts, the SCM vendor was unable to provide a course to train an expanded pool of certified instructors. Utilizing existing certified instructors, Probation adopted an internal strategy to increase the pool of trainers which led to 71% of full-duty sworn Probation camp staff receiving annual SCM training by the end of the 2013-2014 Training Year. During the current 2014-2015 Training Year, the Department will have secured the services of the SCM vendor to further increase the pool of certified instructors and anticipates having all staff trained as required.

**Paragraph 45 - Staff Understanding of Mental Health and Developmental Disability Needs**

*The County shall ensure that all staff working with youth residents have the skills and information necessary to understand behaviors of, engage in appropriate interactions with, and respond to needs of youth with mental illness and developmental disabilities.*

**Probation Response:** Probation agrees with the findings.

- Provision 45 requires all Probation Camp staff to complete a Mental Health Overview course. The Mental Health Overview course is provided to all new hire camp staff during the Juvenile Corrections Officer Core Academy periodically to all Camp staff. The course is all provided periodically to veteran Camp staff. Based on an internal review, Probation was 79% (579 out of 727 sampled from 15 Camps) in compliance with providing Mental Health Overview training to full-duty sworn Camp staff. The Department's internal reviews exclude non-Probation, non-deputized staff, and staff who completed Juvenile Corrections Officers Core Academies. Records of the completed training were contained in the Department's training system and audited by the State of California, Board of State and Community Corrections (BSCC). It is the Department's goal that 90% compliance is reached by the end of this training year. The Probation Department will continue to collaborate with the Department of Mental Health to maintain compliance with the requirements of this Provision.

Please contact me if you have any questions, or your staff may contact Jennifer Donnell at (562) 940-2835.

JEP:fc

c: Felicia Cotton, Deputy Chief  
Luis Dominguez, Bureau Chief